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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JAIME CONTRERAS-CISNEROS )  
 )  
Defendant. )  
\_\_\_\_\_ )

No. CR 06-00620-JW

STIPULATION AND ORDER  
RESCHEDULING STATUS HEARING  
AND EXCLUDING TIME

IT IS HEREBY STIPULATED by the undersigned that the status hearing in this case, currently scheduled for Monday, April 28, 2008 at 1:30 p.m. be vacated and rescheduled for Monday, September 8, 2008 at 1:30 p.m. The parties further stipulate that the court may exclude the period of time from April 28, 2008 through and including September 8, 2008 from the computation of the period of time within which the trial must commence for the reasons set forth in the proposed order below.

It is so stipulated.

1 Dated: 04/16/08

/s/  
JOHN N. GLANG  
Assistant United States Attorney

2  
3 04/16/08  
4 Dated:

/s/  
LARA S. VINNARD  
Attorney for Jaime Contreras-Cisneros

5  
6  
7 **ORDER**

8 Based upon the stipulation of the parties, it is hereby ordered that the status hearing in this  
9 case, previously scheduled for Monday, April 28, 2008 at 1:30 p.m., be vacated and rescheduled  
10 for Monday, September 8, 2008 at 1:30 p.m.

11 Pursuant to Title 18, United States Code, Section 3161(h), the court excludes the period of  
12 time from April 28, 2008 through and including September 8, 2008 from the computation of the  
13 period of time within which the trial must commence. The court FINDS that the ends of justice  
14 served by the delay outweigh the best interest of the public and the defendant in a speedy trial.  
15 The court bases this finding on the pendency of the defendant's interlocutory appeal in the  
16 United States Court of Appeals for the Ninth Circuit (Case No. 07-10532), within the meaning of  
17 18 U.S.C. § 3161(h)(1)(E).

18 It is so ordered:

19 Dated: April 18, 2008

20   
JAMES WARE  
United States District Judge